

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID ALAN BARTLES

v.

ANDREW M. SAUL,¹
Commissioner of Social Security
Administration

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CIVIL ACTION

NO. 19-1910

ORDER

AND NOW, this 10th day of February, 2020, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review (Doc. 13), defendant's Response to Request for Review of Plaintiff (Doc. 14), and plaintiff's reply thereto (Doc. 17), defendant's Motion to Stay (Doc. 16), and the decision of the United States Court of Appeals for the Third Circuit in Cirko on behalf of Cirko v. Comm'r of Soc. Sec., ___ F.3d ___, 2020 WL 370832, at *2-6 (3d Cir. Jan. 23, 2020), it is hereby

O R D E R E D

1. Plaintiff's Request for Review is **GRANTED**, and the decision of the Commissioner of the Social Security Administration is **REVERSED** to the extent that the matter is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Memorandum of Decision;

2. Defendant's Motion to Stay (Doc. 15) is **DENIED AS MOOT**; and

3. Judgment is entered in favor of plaintiff, reversing the decision of the Commissioner for the purpose of this remand only.

BY THE COURT:

/s/ Thomas J. Rueter
THOMAS J. RUETER
United States Magistrate Judge

¹ On June 17, 2019, Andrew M. Saul was sworn in as Commissioner of the Social Security Administration. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Andrew M. Saul should be substituted as the defendant in this case.